AO 399 (Rev. 10/95)

## WAIVER OF SERVICE OF SUMMONS

TO: Patrick J. Monag	ıhan, Jr.		
	(NAME OF P	LAINTIFF'S ATTORNEY OR UNR	EPRESENTED PLAINTIFF)
I, TV Loonland Home Entertainment LTD (DEFENDANT NAME)			, acknowledge receipt of your request
		- of Appo Reventy AR C	troits at al
that I waive service of summons in the action of Anne Bryant v. AB I			(CAPTION OF ACTION)
which is case number 07-CIV-6395			in the United States District Court
	(DOCKET NUMBER)		
for the	Southern	District of	New York
I (or the entity on or venue of the court e	whose behalf I am ac xcept for objections l	ting) will retain all defense pased on a defect in the sun	al process in the manner provided by Rule 4. s or objections to the lawsuit or to the jurisdiction amons or in the service of the summons.
I understand that	a judgment may be er	tered against me (or the pa	rty on whose behalf I am acting) if an
answer or motion under Rule 12 is not served upon you within 60 days after  7/31/2007  (DATE REQUEST WAS SENT)			
or within 90 days after	that date if the reque	est was sent outside the Uni	ited States.
25th Sept. 2	₩7 <u> </u>	A	(SIGNATURE)
	Prin	ted/Typed Name:	A. De Souza
	As	COMPANY SECRET	of TV Loonland Home Entertainment LTI (CORPORATE DEFENDANT)

## **Duty to Avoid Unnecessary Costs of Service of Summons**

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the summons and complaint. A defendant located in the United States who, after being notified of an action and asked by a plaintiff located in the United States to waive service of summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the complaint is unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the summons retains all defenses and objections (except any relating to the summons or to the service of the summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

A defendant who waives service must within the time specified on the waiver form serve on the plaintiff's attorney (or unrepresented plaintiff) a response to the complaint and must also file a signed copy of the response with the court. If the answer or motion is not served within this time, a default judgment may be taken against that defendant. By waiving service, a defendant is allowed more time to answer than if the summons had been actually served when the request for waiver of service was received.